

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

**MOTION GAMES, LLC,
Plaintiff,**

v.

**NINTENDO CO., LTD, et al.,
Defendants.**

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Cause No. 6:12-cv-878-LED-JDL

JURY TRIAL DEMANDED

**ORDER ADOPTING REPORT AND RECOMMENDATION OF
UNITED STATES MAGISTRATE JUDGE**

The above entitled and numbered civil action was referred to United States Magistrate Judge John D. Love pursuant to 28 U.S.C. § 636. The Report and Recommendation of the Magistrate Judge (Doc. No. 126) has been presented for consideration. The Magistrate Judge recommends denying Retro Studios, Inc.'s ("Retro") Motion to Dismiss Pursuant to Rule 12(b)(3) and 12(b)(6) (Doc. No 33). Retro has filed objections (Doc. No. 132). Having carefully considered the parties' arguments, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct. Therefore, the Court adopts the Report and Recommendation of the United States Magistrate Judge as the findings of this Court. Accordingly, it is hereby **ORDERED** that Retro's Motion to Dismiss be **DENIED**.

So ORDERED and SIGNED this 27th day of March, 2014.

A handwritten signature in black ink, appearing to read 'Leonard Davis', written over a horizontal line.

**LEONARD DAVIS
UNITED STATES DISTRICT JUDGE**